IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

OP.No. 6918 of 1998(W)

PETITIONER:

JOHN EAPEN VARGHESE, MANAGING DIRECTOR,
M/S.PALMS FOOD SPECIALITIES PVT.LTD, 1/784A,
KARANTHUR P.O.KUNNAMANGALAM, KOZHIKODE 673 571.

BY ADV. SRI.K.P.VIJAYAN
SRI.V.B.JINNAH
SRI.BOBY MATHEW

RESPONDENTS:

1.UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF HEALTH AND FAMILY WELFARE, NEW DELHI.

2.THE SECRETARY, CENTRAL COMMITTEE OF FOODS STANDARD, MINISTRY OF HEALTH AND FAMILY WELFARE, NEW DELHI.

3.DIRECTOR OF FRUIT AND VEGETABLE PROCESSING, MINISTRY OF FRUIT AND CIVIL SUPPLIES, NEW DELHI.

4.STATE OF KERALA, REP. BY THE SECRETARY TO GOVT. HEALTH AND FAMILY WELFARE (G) DEPARTMENT, THIRUVANANTHAPURAM.

5.FOOD INSPECTOR, PATHANAMTHITTA MUNICIPALITY, MUNICIPAL OFFICE, PATHANAMTHITTA.

BY ADV. SRI.K.R.RAGHUNATH, ADDL.CGSC
GOVERNMENT PLEADER SRI.P.A.SALIM FOR R4
ADV.SRI.CHINCY GOPAKUMAR FOR R1 TO R3

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.6918/1998

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF LICENCE NO.FPO 8996 R ISSUED BY THE MINISTRY OF FOOD PROCESSING INDUSTRIES.

EXT.P2: COPY OF COMPLAINT REGISTERED AS ST.NO.133/95 BEFORE THE CHIEF JUDICIAL MAG. COURT PATHANAMTHITTA.

EXT.P3: COPY OF THE MAHAZAR PREPARED BY THE 5TH RESPONDENT.

EXT.P4: COPY OF THE REPORT OF THE PUBLIC ANALYST ON THE BASIS OF WHICH EXT.P2 COMPLAINT HAS BEEN FILED.

EXT.P5: COPY OF THE IMPLEADING PETITION ALONG WITH THE AFFIDAVIT.

EXT.P6: COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE MAGISTRATE.

EXT.P7: COPY OF THE ORDER DATED 24.2.1998 PASSED BY THE MAGISTRATE.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

O.P.NO.6918 OF 1998 (W)

Dated this the 12th day of April, 2007

J U D G M E N T

KOSHY,J.

Identical matters were disposed of by the court without prejudice to the defence of the petitioners before the court below by judgment dated 7.11.2006 in O.P.No.978/1995 and connected cases. We dispose of this writ petition also with the same terms.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

O.P.NO.6918 OF 1998 (W)

J U D G M E N T

12th April, 2007